

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

OSIRIUS GROUP, LLC

Plaintiff,

Case No.: 23-10943

v

IDEANOMICS, INC.,

Denise Page Hood
United States District Judge

Defendant,

YA II PN, LTD.

Curtis Ivy, Jr.
United States Magistrate Judge

Intervenor.

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**STIPULATION BY AND AMONG PLAINTIFF, DEFENDANT AND
RECEIVER FOR ENTRY OF APPROVING
RESOLUTION OF MATTER**

Plaintiff Osirius Group, LLC (“Plaintiff”), Defendant Ideanomics, Inc. (“Defendant”), and Charles D. Bullock, the court-appointed Receiver in this matter (“Receiver”), by and through their undersigned counsel, hereby stipulate and agree as follows (the “Stipulation”). Provided it is signed on October 11, 2024 and the Settlement Payment (as defined below) and receiver fee payment below is made by October 15, 2024, this stipulation is binding as an agreement pending any entry of an order approving it by a court.

RECITALS

- A. Plaintiff obtained a Default Judgment against Defendant on August 22, 2023 [Dkt. No. 19] in the amount of \$2,615,095.50 and attorneys' fees in the amount of \$53,371.80, with interest to accrue as provided by law (the "Judgment");
- B. On October 26, 2023, this Court entered its Post-Judgment Order Appointing a Receiver, Authorizing Post-Judgment Discovery, and Ordering Defendant to Show Cause [ECF No. 43] and Mooting Motion for Immediate Consideration [ECF No. 46] (the "Receiver Appointment Order");
- C. Plaintiff made certain payments to Defendant in 2023 and 2024;
- D. On June 20, 2024, Defendant provided an Affidavit attesting to additional payments of \$993,808.46 that it had made to Plaintiff to pay a portion of the remaining \$1,500,000.00 owed on the Judgment. [Dkt. No. 89].
- E. On August 2, 2024, Plaintiff moved to have Charles Bullock appointed as Receiver [Dkt. No. 90];
- F. On October 3, 2024, this Court entered its Order for Appointment of Receiver (the "Receiver Order") [Dkt. No. 98], appointing Charles D. Bullock as Receiver;

G. Since the appointment of the Receiver, the parties have negotiated to resolve this matter in full;

STIPULATION

Plaintiff, Defendant, and the Receiver, through their undersigned counsel, hereby stipulate and agree:

1. Within one (1) business day after the payment from or on behalf of Defendant (i) of the amount of \$530,971.29 (the “Settlement Payment”) to Plaintiff in good and sufficient funds via wire transfer in full and final satisfaction of the Judgment, and (ii) of the amount of \$8,978.75 to Receiver in good and sufficient funds in full and final satisfaction of the Receiver’s fees and costs in this matter (the “Receiver Payment”), this matter, including Plaintiff’s claims and the receivership and all disputes, shall be deemed resolved by such payment; and
2. Immediately after receipt of the Settlement Payment and the Receiver Payment:
 - (a) Plaintiff shall file a Notice of Satisfaction of Judgment in the form mutually agreed by the parties;
 - (b) Receiver shall submit a Stipulation and Order to Discharge the Receiver;

(c) Plaintiff and Defendant shall file a Stipulation and Order dissolving all orders, withdrawing all pending motions, and otherwise resolving all matters in this action, and dismissing the action with prejudice and without further costs, in the form mutually agreed by the parties.

WHEREFORE, the parties hereby respectfully request that this Court enter the Order approving the above agreement, which is being submitted concurrently with the Stipulation to the judge to whom this case is assigned as required by E. D. Mich. Electronic Filing Policies and Procedures R12.

Dated: October 11, 2024

**MILLER, CANFIELD, PADDOCK
AND STONE, P.L.C.**

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